

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: ROUNDUP PRODUCTS
LIABILITY LITIGATION

MDL No. 2741

Case No. 16-md-02741-VC

This document relates to:


Hardeman v. Monsanto, 3:16-cv-00525-VC

**PRETRIAL ORDER NO. 138:
INSTRUCTION ON NONECONOMIC
DAMAGES**

Under California law, it appears that the jury should not be instructed on life expectancy in connection with noneconomic damages. *See, e.g., Galindo v. Tassio*, No. C13-00105 HRL, 2014 WL 12693525, at *2 (N.D. Cal. June 19, 2014) (holding, in a wrongful death case, that life expectancy should only be taken into account for economic damages); *see also* CACI No. 3921 (instructing jurors to consider life expectancy when evaluating the loss of future financial support). The Court sees no reason why life expectancy would be relevant to the calculation of noneconomic losses in a personal injury action, but not in a wrongful death action.

IT IS SO ORDERED.

Date: March 26, 2019



Honorable Vince Chhabria
United States District Court